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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,624	06/25/2003	Shawn Oberst	MSFT120575	5087

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EXAMINER

CERVETTI, DAVID GARCIA

ART UNIT	PAPER NUMBER
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2136

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/606,624	Applicant(s) OBERST, SHAWN	
	Examiner David G. Cervetti	Art Unit 2136	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. Claims 1-19 are pending and have been examined.

#### ***Information Disclosure Statement***

2. It is noted that no IDS has been filed.

#### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 116 (fig 1); 492 (fig 4J); 332RC-RE (fig 3F). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. **This may not be a complete list of reference characters not mentioned in the specification.**

***Double Patenting***

5. Claims 1-19 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-44 of copending Application No. 10/607,370. Although the conflicting claims are not identical, they are not patentably distinct from each other because the subject matter claimed in the instant application is fully disclosed in the referenced copending application.

6. This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

7. The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows:

- the instant application discloses a networked system for accessing a piece of content, comprising: a user Web service for representing a user having an expressed user access scope; and a content Web service for representing a piece of content having an expressed content access scope, the user Web service communicating with the content Web service to access the piece of content when the expressed user access scope overlaps with the expressed content access scope;
- the copending application discloses evaluating an access request of a user, comprising: a user account representing the user accessing the networked system, the user account including a user access scope

expressed by a first expression for a security space; and a piece of content including a content access scope defined by a second expression for the security space, the user being granted access to the piece of content when the user access scope overlaps with the content access scope.

8. Claims 1-19 of the instant application are envisioned by copending Application No. 10/607,370's claims 1-44 in that claims 1-44 of the copending application contain all the limitations of claims 1-19 of the instant application. Claims 1-19 of the instant application therefore are not patently distinct from the copending application claims and as such are unpatentable for obvious-type double patenting.

***Claim Rejections - 35 USC § 101***

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 13-19 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A computer-readable medium as defined in the specification (i.e. computer-readable media may comprise computer storage media and communication media, ...such as carrier wave, page 9) is considered non-statutory subject matter.

11. To expedite a complete examination of the application, the claims rejected under 35 U.S.C. 101 (non-statutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

***Claim Rejections - 35 USC § 102***

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. **Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Sirer and Wang (NPL “An access control language for web services”, hereinafter Sirer).**

**Regarding claim 1**, Sirer teaches a networked system for accessing a piece of content (**abstract, introduction**), comprising:

- a user Web service for representing a user having an expressed user access scope (**section 3.1**); and
- a content Web service for representing a piece of content having an expressed content access scope (**section 3.1**),
- the user Web service communicating with the content Web service to access the piece of content when the expressed user access scope overlaps with the expressed content access scope (**section 3.2**).

**Regarding claims 6 and 13**, Sirer teaches

- requesting a discovery framework by a user Web service to access a piece of content represented by a content Web service (**section 3.1**);
- notifying the content Web service by the discovery framework of the access request by the user Web service (**section 3.1**); and

- requesting the discovery framework by the content Web service for an access evaluator Web service to evaluate whether an access scope of the user Web service overlaps with an access scope of the content Web service to grant access to the piece of content **(section 3.2-3.3)**.

**Regarding claims 2, 7, and 14**, Sirer teaches wherein the access scope of the user Web service is expressed in a user access scope sentence containing dimensional extents of a security space **(section 3.1)**.

**Regarding claims 3, 8, and 15**, Sirer teaches wherein the access scope of the content Web service is expressed in a content access scope sentence containing dimensional extents of the security space **(section 3.1)**.

**Regarding claim 4, 9, and 16**, Sirer teaches compiling the user access scope sentence and the content access scope sentence by a sentence compiler Web service into binary sentences, each binary sentence having binary phrases, each binary phrase being a compiled dimensional extent **(section 3.2-3.3)**.

**Regarding claims 10 and 17**, Sirer teaches evaluating the binary sentences by the access evaluator service, the act of evaluating including comparing each binary phrase of a first binary sentence with each corresponding, binary phrase of a second binary sentence to form a resultant binary sentence **(section 3.2-3.3)**.

**Regarding claim 5**, Sirer teaches an evaluator Web service for comparing the accessor sentence, and the content sentence to determine whether to grant access to the user Web service so that the user Web service can access the piece of content **(section 3.2-3.3)**.

**Regarding claims 11 and 18**, Sirer teaches granting access to the user Web service if each binary phrase of the resultant binary sentence is greater than zero **(section 3.2-3.3)**.

**Regarding claims 12 and 19**, Sirer teaches denying access to, the user Web service if one binary phrase of the resultant binary sentence is equal to zero **(section 3.2-3.3)**.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chandramouli (NPL "Application of XML tools for enterprise-wide RBAC implementation tasks") teaches an XML based RBAC access control system.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571) 272-5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off on Wednesday.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DGC

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10/06/06